

EXHIBIT 2

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MARYLAND
(Baltimore Division)**

WAYNE ALLEN, et al.

*

Plaintiffs

*

v.

*

Civil Action No.: 1:14-cv-04033

ENABLING TECHNOLOGIES CORP.

*

Defendant

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* * * * *

AFFIDAVIT OF CHRISTOPHER L. DEAN

I, Christopher Dean, am over the age of eighteen and am competent to testify in these proceedings as follows:

1. I am the founder, President and Chief Executive Officer of B/Net Systems, LLC, an information technology (“IT”) consulting firm, founded in 1994, which provides strategic IT planning, system design, implementation and maintenance for consulting, lobbying, public affairs, law firms, trade associations, and embassies.

2. I have over 25 years of experience in the IT field, with a specific focus on the management and deployment of information and communications systems, including videoconferencing, VMWare, and unified messaging (“UM”) and unified communications (“UC”).

3. I hold a Bachelor of Arts Degree in Political Science and Portuguese from the University of Wisconsin-Madison and have engaged in graduate work in Computer Science at George Mason University.

4. I worked for the Recording Industry Association of America, Inc., where I was the Senior Network Analyst and Manager of Application Development, and later, the Director of Information Systems Administration.

5. I recently project managed a complex UM installation, including data and voice services migration to Microsoft's cloud services, for the National Association of Broadcasters.

6. UC and UM refer to the integration of communication services, including instant messaging, e-mail, telephone, and web and video conferencing.

7. UC/UM is a highly specialized, burgeoning field within the IT industry.

8. I am familiar with the multi-tiered support system within the IT industry. Under the multi-tiered system, Tier 1 is the initial level of support. It constitutes basic level support, during which the support representative obtained information from the customer by analyzing the problem and attempting to determine the underlying issue. Tier 2 support is an intermediate level, which requires technicians with more training knowledge and experience. Such support involves advanced technical troubleshooting and analysis. Tier 3 is the highest level of support in the three-tiered support system. Tier 3 technicians are responsible for handling the most advanced support issues. Tier 3 technicians are considered experts in their fields.

9. I have reviewed hundreds of tickets and/or ticket summaries concerning support provided by UC/UM Support Engineers ("Support Engineers") at Enabling Technologies Corp. ("ETC"). Additionally, among other things, I have reviewed discovery responses, deposition transcripts, and have interviewed ETC employees.

10. I am familiar with the skill level and primary duties of a computer systems analyst.

11. Support Engineers have a skill level similar to a computer systems analyst.

Both Support Engineers and computer systems analysts consult with managers of customers to

determine the role of the IT system of the organization. Both computer employees devise ways to add new functionality to existing computer systems, conduct testing to ensure the systems work was expected, and train the system's end users and write instructions to assist their customers. Both Support Engineers and computer systems analyst are responsible for an immense volume of data. Both Support Engineers and computer systems analysts generally receive compensation greater than the compensation typically received by a computer support specialist or mere "help desk" employee.

12. The primary duties of Support Engineers include the application of systems analysis techniques, including consultation with users to determine hardware, software, and/or system functional specifications.

13. Support Engineers also analyze, test, and/or modify computer systems or programs based on and related to user or system design specifications or machine operating systems.

14. Support Engineers are also responsible for support of highly complex UM and UC integrations, solving technical problems, working with vendors to track and manage issue resolution, and interacting with ETC's field engineers, employees, and users.

15. As a Support Engineer, Mr. Cable had a skill level similar to a computer systems analyst. Mr. Cable consulted with managers of customers to determine the role of the IT system of the organization, devised ways to add new functionality to existing computer systems, conducted testing to ensure the systems work was expected, and trained the system's end users and wrote instructions to assist their customers. Mr. Cable was also responsible for an immense volume of data.

16. As a Support Engineer, Mr. Cable's primary duties consisted of the application of

systems analysis techniques, including consultation with users to determine hardware, software, and/or system functional specifications. *Id.* He also analyzed, tested, and/or modified computer systems or programs based on and related to user or system design specifications or machine operating systems.

17. Mr. Cable was responsible for the support of highly complex UM and UC integrations, solving technical problems, working with vendors to track and manage issue resolution, and interacting with ETC's field engineers, employees, and users.

18. As a Support Engineer, Mr. Allen had a skill level similar to a computer systems analyst. Mr. Allen consulted with managers of customers to determine the role of the IT system of the organization, devised ways to add new functionality to existing computer systems, conducted testing to ensure the systems work was expected, and trained the system's end users and wrote instructions to assist their customers. Mr. Allen was also responsible for an immense volume of data.

19. As a Support Engineer, Mr. Allen's primary duties consisted of the application of systems analysis techniques, including consultation with users to determine hardware, software, and/or system functional specifications. He also analyzed, tested, and/or modified computer systems or programs based on and related to user or system design specifications or machine operating systems.

20. Mr. Allen was responsible for the support of highly complex UM and UC integrations, solving technical problems, working with vendors to track and manage issue resolution, and interacting with ETC's field engineers, employees, and users.

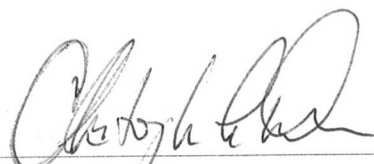
21. The wage records, attached hereto, are a true and authentic copy of the original wage records obtained from the websites of the U.S. Department of Labor, the Florida Department of Economic Opportunity, Labor Market Statistics Center, and the Maryland Department of Labor, Licensing and Regulation, Office of Workforce Information & Performance.

22. Plaintiffs' respective salaries were higher than the average salary of computer support specialist or "help desk" employees within their respective geographical region. Their salaries were similar to the salaries of computer systems analysts.

23. Based upon the support tickets I reviewed in which Wayne Allen was the assigned Support Engineer, Wayne Allen was performing Tier 2 work.

24. Based upon my review of the First Quality Enterprises, Inc. records, while Howard Cable performed some Tier 1 work, the majority of the tickets evidence Tier 2 work. Approximately 22% of the tickets constituted Tier 1 work, while approximately 77% constituted Tier 2 work. The remaining tickets were Tier 2 work or beyond.

I solemnly affirm under the penalties of perjury and upon personal knowledge that the contents of the foregoing paper are true.



Christopher Dean